

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Morton Willcutts, Jr.,

Civil No. 06-2932 (RHK/SRN)

Petitioner,

ORDER

v.

R.L. Morrison,

Respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated August 11, 2006. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 7) is **ADOPTED**;
2. Petitioner's Motion for an Enlargement of Time (Doc. No. 6) is **DENIED**;
3. Based on Petitioner's failure to comply with the conditions of this Court's July 10, 2006 Order, Petitioner's action is **DISMISSED WITHOUT PREJUDICE**; and
4. Given the disposition here, if the filing fee payment is received, the Clerk's Office is directed to return it to Petitioner.

Dated: August 30, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge